

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

19 CV 9666

Michael Christy

CV

Write the full name of each plaintiff.

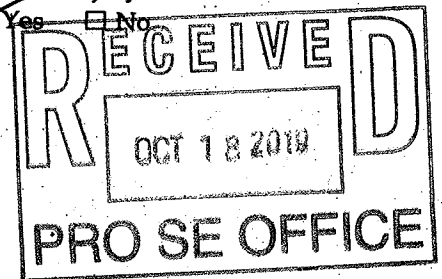
(Include case number if one has been assigned)

Warden of Rikers Island
Bellvue Hospital Ortho-Team Dr's
Tishuani & STEVENS, ET AL; Axel Riker's
Island Medical staff, Intake MD name
vkn-Dr. Huggins & RA Glenda Shagan

COMPLAINT
(Prisoner)

Do you want a jury trial?

☒ Yes ☐ No



Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. LEGAL BASIS FOR CLAIM

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☐ Other: _____

II. PLAINTIFF INFORMATION

Each plaintiff must provide the following information. Attach additional pages if necessary.

Michael Anthony Christy
First Name Middle Initial Last Name

NONE

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

3491905569 / DIN-1492702 / NYSID 044528288

Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

10-10 HAZEN STREET / Riker's Island

Current Place of Detention

10-10 HAZEN STREET Bldg C-76 - EMTA

Institutional Address

QUEENS E. ELMHURST N.Y. 11370

County, City

State

Zip Code

III. PRISONER STATUS

Indicate below whether you are a prisoner or other confined person:

☐ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☐ Convicted and sentenced prisoner

☒ Other:

Parole Violation Pending / Detainee

IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:

Unknown Intake doctor at Bldg C-95
 First Name Last Name Shield #
 Medical Doctor
 Current Job Title (or other identifying information)
 18-18 HAZEN STREET
 Current Work Address
 QUEENS - E. ELMHURST N.Y. 11370
 County, City State Zip Code

Defendant 2:

VNK Huggin MD
 First Name Last Name Shield #
 Medical Doctor
 Current Job Title (or other identifying information)
 10-10 HAZEN STREET
 Current Work Address
 QUEENS - E. ELMHURST N.Y. 11370
 County, City State Zip Code

Defendant 3:

Glenda Sheeran
 First Name Last Name Shield #
 Physician Assistant
 Current Job Title (or other identifying information)
 10-10 HAZEN STREET
 Current Work Address
 QUEENS - E. ELMHURST N.Y. 11370
 County, City State Zip Code

Defendant 4:

VNK Tishvani
 First Name Last Name Shield #
 Orthopedic Surgeon
 Current Job Title (or other identifying information)
 BELLEVUE HOSPITAL - 462 1ST AVE
 Current Work Address
 N.Y. MANHATTAN N.Y. 10016
 County, City State Zip Code

Defendant 5: Dr. STEVENS, Orthopedic Surgeon AT
Bellevue Hospital - 462 1~~ST~~ AVE - N.Y. Cnty, Manhattan
N.Y., 10016

Defendant 6: Warden of Riker's Island, S. BASTIN,
HAZEN STREET - Riker's Admin Office, QUEENS, N.Y.
E. Elmhurst, 11370.

What Each Defendant Did Towards my injury

DEF ① INTAKE DR AT C-95: KNEW THAT I WAS BANNED FROM THE INFIRMARY A FEW WEEKS PRIOR AND IGNORED THE SWELLING IN MY FOOT;

and ordered ^{ME} INTO General Population without my wheelchair.

DEF ② IS A DR HERE AT THE CLINIC WHO, TOO, KNOWS THE RESULTS OF THE BROKEN SCREWS FROM WALKING AND DID NOT SEND ME TO THE INFIRMARY.

DEF ③ THIS PA IS WHO I DEALT WITH AND ARRANGED THE TEL-COM AND RECEIVED THE INFO OF THE BROKEN SCREWS AND ^{GAVE} CRUTCHES INSTEAD OF

THE APPROPRIATE ACTION OF KEEPING ME OFF THE FOOT AS INSTRUCTED
DEF ④ LEAD ORTHO-SURGEON AT BELLEVUE WHO LEAD WHAT NOW APPEARS TO BE A FAILED OPERATION.

DEF ⑤ IS ORTHO-SURGEON WHO ASSISTED DR. TISHUANI AND WATCHED ME SCREAMING IN PAIN POST-OP TO REMOVE CAST ^{THEY} PLACED ON TOP OF

SURGICAL SCARS AND DIDN'T BELIEVE THAT I WAS IN PAIN.

DEF ⑥ WARDEN OF RIVER'S WHO RECEIVED LETTERS OF COMPLAINTS AND STILL DID NOT HAVE ME PLACED IN THE INFIRMARY.



- Complaint -

On 5-3-19 this plaintiff jumped from a roof ledge to a landing on an adjacent building. When landing with his right foot the jump proved to be a great miscalculation in distance. The landing resulted in a "Lis Franc Fracture" where every foot bone connected to the toes broke and shifted.

Approximately one minute later this plaintiff turned himself in to the N.J. STATE Police who were at his hotel room to arrest him for a Fugitive Warrant from N.Y. Parole at that very time.

This plaintiff was brought to the Atlantic City Emergency room where an x-ray revealed broken metatarsals. Plaintiff was brought to the A.C. County Jail and 10 days later he^{was} brought to Riker's Island. After two days of sitting in a bullpen, an intake^{doctor} noticed plaintiff's right foot had swollen and bones pressing through the skin. On 5-15-19 the plaintiff was brought to Bellevue E.R. and

immediately admitted into the prison ward.

This plaintiff met with a team of ortho-surgeons who developed a plan to reconstruct the fracture. ~~Eight~~ days later on 5-23-19 surgery resulted in several plates, Kirshner wire and six 3 inch screws to repair the fracture.

Within two days this plaintiff had to have his post surgery cast removed due to it being too tight and ^{causing} almost unbearable pain because it pressed against the surgical scars. The second cast also created excruciating pain and it too was removed after two weeks.

Hospital staff and this plaintiff agreed to not further cast the foot but Cam-boot it throughout the rest of ^{the} healing process. Unfortunately, plaintiff's foot never healed even until this day.

On 7-30-19 the plaintiff was paroled to a program that couldn't keep him due to the not being HIV. He was mistakenly sent there. The plaintiff, against parole's conditions, remained in

The Bellevue Hospital Area AND stayed with a friend on 28TH STREET.

The plaintiff's wheelchair that he was released in was stolen while eating at Bellevue shelter. Two friends carried him 1 block away to Bellevue Hospital and they re-issued the wheelchair he was arrested in one month later. This plaintiff was told that by 8/23 he would be able to walk by one of the doctors of his ortho-team.

That statement **P**roved to be absolutely incorrect as this plaintiff was in Bellevue hospital four times in the month of August alone with severe swelling, pain and infections (two) in his right foot. No matter how much elevating and resting the foot, while wearing the Cam-boot, was done, the foot will not heal.

On 9-9-19 this plaintiff was re-arrested at 7-Eleven on 28TH & 3RD in Manhattan. He was lifted out of the wheelchair and placed in a

van by the Warrant Squad. The wheelchair was left in front of 7-Eleven as it couldn't fit in the van.

This plaintiff was given a cane at parole and transported to Riker's Island. 24 hours after arriving he saw another intake doctor who looked only at the doctor's note that said I would be walking by 8/23. I pleaded with this man to look at all other reports that are after that date and explained up-coming appointments due to many complications.

The doctor refused to look any further, even after noting swelling in my foot. He ordered a wooden cane and put me in General Population. In less than a week I was ordered an X-ray and put on Motrin due to countless complaints of pain just to walk to the mess hall. This plaintiff is on Methadone and psych-meats that have proven to keep me level-headed throughout this nightmare

of constant denial to address this very urgent need of help for me and my foot. As the inevitable would have it, the x-ray taken here revealed several of the screws have broken and the doctor who gave myself and the PA, Glenda Sherran, the order to keep me off my foot, over a video-tele-cam, said also that he would talk his boss.


I was given crutches, and to my shock, still denied access to NIC infirmary and a wheelchair. As I complain everyday to Social Services, Ms. Hack, Captains, Officers and medical that the crutches are still keeping me on my foot as I can't use them in the living area, in the bathroom or shower, nothing is done and the days continue without being put back in a wheelchair and infirmary.

This plaintiff has filed many grievances and complaints within this facility and of this date, not a single answer. This plaintiff was also led to believe that by the eighth of this month he would have been back to Bellevue to repair the screws or remove them. It's almost two weeks since the X-ray revelation and still no one answers me.

I believe that the surgery went wrong and Bellevue staff has had plenty of time to take note all of complications that include screaming and writhing in pain from post-op casts back in May to the many visits to the hospital since then up to the end of August. I believe that insensitivity, inconsideration and overall handling of my foot and forcing me to walk by staff

here at Riker's is clearly proof of the requirements needed to file this complaint.

Each day as I deal with the pain by prayer and exercising my upper body, I pray that I am soon taken to the hospital for emergency attention desperately needed. This plaintiff is asking the court to order outside independent evaluations and attention to the foot that now has been broken screws in it for weeks now. This plaintiff is also seeking a jury trial for all of the individuals involved to answer for their deliberate neglect and lack of care and attention to such an injury.

Respectfully

(7)

Surgery Completed on 5-23-19 has NOT healed and continues to SWELL and create excruciating pain when standing or walking; And, now have several Broken Screws because being forced to walk.

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

NO follow up AS my injury continues to be ignored and misdiagnosed

VI. RELIEF

State briefly what money damages or other relief you want the court to order.

TO BE compensated for the months of pain if the above stuff could have ~~been~~ avoided. Money Damages to decide upon other expert opinion and follow up care. TO BE seen by outside independent doctors for immediate care and surgery for the broken screws.

VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

10-10-19

Dated

Michael

First Name

Anthony

Middle Initial



Plaintiff's Signature

Christy

Last Name

10-10 HAZEN STREET

Prison Address

Qns - E. E. Elmhurst

County, City

N.Y.

State

11370

Zip Code

Date on which I am delivering this complaint to prison authorities for mailing: _____

Michael Christy 3491905569
10-10 HAZEN STREET - RICE'S ISLAND
EAST ELMHURST, NEW YORK
11370

10-11-19

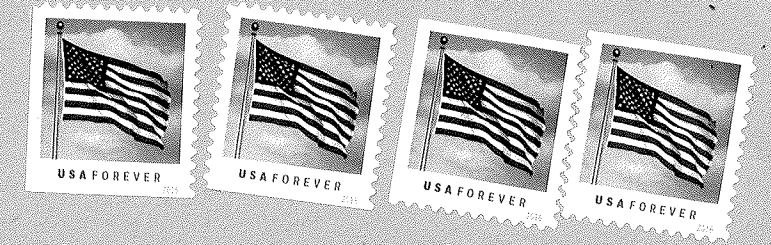
TO: CLERK of US District Court

Dear Clerk, Enclosed is my Complaint. I have filled it out to the best of my ability. I had to write it by hand as all of the typewriters are broken (5 of them).

Kindly file as soon as possible. The Court's help is desperately needed.

Thank you
Michael Christy

Michael Christy #3491905569
10-10 HAZEN STREET Riker's Island
EAST ELmhurst, New York
11370



Pro Se
SM

USM_{P3}
SDNY

To: Clerk, U.S. District Courthouse
Southern District of New York
500 Pearl STREET
New York, New York

10007-1312

RECEIVED
CLERK'S OFFICE
S.D.N.Y.
OCT 17 PM 2:31
2019

RECEIVED
OCT 19 2019
PRO SE OFFICE